

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: MAGERL2

In re Application of:)	Conf. No.: 3992
Friedrich MAGERL et al.)	
)	
IA No: PCT/CH04/00596)	Art Unit:
)	
IA Filed: September 22, 2004)	Examiner:
)	
Appln. No.: 10/573,761)	Washington, D.C.
)	
For: DEVICE FOR PLACING)	February 16, 2007
INSTRUMENTS OR IMPLANTS IN...)	

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[X] B. before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 CFR §1.114.

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR §1.98(a)(2)(ii) does not require to be filed

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.B./

unless specifically required by the Office, a copy of each document listed is attached, except as explained below:

[X] 3. Document AC is not in the English language. In accordance with 37 CFR \$1.98(a)(3), Applicant states:

[X] An English translation of each document AC (or of the pertinent portions thereof), or a copy of an English-language abstract (or claim) is enclosed.

[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

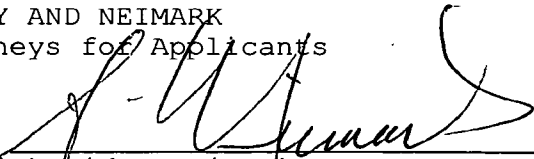
[X] 5. Other information being provided for the examiner's consideration follows: International Search Report

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR \$1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/573,761
Filing Date	September 22, 2004
First Named Inventor	Friedrich MAGERL
Group Art Unit	
Examiner Name	
Attorney Docket Number	MAGERL2

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-US2003/0073901 A1	04-17-2003	Simon et al.	
	AB	US-2001/0036245 A1	11-01-2001	Kienzle, III et al.	
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	AC	DE 100 30 507 A1	01-17-2002	Karlsruhe Forschzent		
	AD	WO 02/080773 A1	10-17-2002	Johns Hopkins University		

Examiner
Signature

/Joel Brutus/

Date
Considered

05/22/2009

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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